

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

ADRIAN B. RILEY,

Plaintiff,

v.

DR. ENI NMWABUEZE; and ROY SABINE,
Medical Director at Georgia State Prison,

Defendants.

CIVIL ACTION NO.: 6:15-cv-29

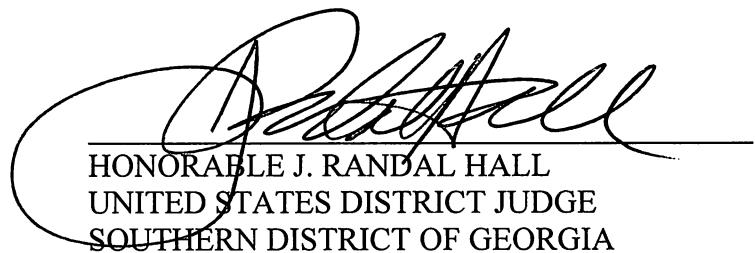
O R D E R

Presently before the Court is the Magistrate Judge's August 15, 2016, Report and Recommendation, (doc. 20), to which Plaintiff failed to file Objections. After a *de novo* review, the Court concurs with the Magistrate Judge's Report and Recommendation and **ADOPTS** the Report and Recommendation as the opinion of the Court. The Court **GRANTS** Defendants' Motion to Dismiss, **DISMISSES** Plaintiff's Complaint, and **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal. In addition, the Court **DENIES** Plaintiff leave to proceed *in forma pauperis* on appeal.

Plaintiff also filed a Motion for Certificate of Appealability. (Doc. 22.) The Court **DISMISSES** Plaintiff's Motion as moot, as a certificate of appealability is not necessary for an appeal of this 42 U.S.C. § 1983 action. Further, Plaintiff filed a Notice of Appeal and his instant Motion rather than Objections to the Magistrate Judge's Report and Recommendation, despite being specifically informed that he was not to do so. (Doc. 20, p. 10.) To the extent either of

these pleadings can be deemed Objections to the Magistrate Judge's Report and Recommendation, the Court **OVERRULES** Plaintiff's "Objections".

SO ORDERED, this 20th day of September, 2016.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA